

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

March 4, 2004

IN RE:

**TARIFF TO REMOVE MESSAGELINE FROM THE TARIFF -
TARIFF NUMBER 2003-1425**

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**DOCKET NO.
03-00643**

ORDER APPROVING TARIFF

This matter came before Director Pat Miller, Director Sara Kyle, and Director Ron Jones of the Tennessee Regulatory Authority (the "TRA" or "Authority"), the voting panel assigned to this Docket, at a regularly scheduled Authority Conference held on January 5, 2004 for consideration of Tariff 2003-1425 of United Telephone-Southeast, Inc. ("UTSE") to remove MessageLine from its General Subscriber Services Tariff.

Background

On May 5, 2003, in Docket No. 03-00230, the TRA found that voice mail is an information, rather than telecommunications, service. Pursuant to this finding and the TRA's action on December 15, 2003 in TRA Docket No. 03-00616,¹ UTSE filed on December 19, 2003 its Tariff 2003-1425 to remove MessageLine from its General Subscriber Services Tariff, to be effective January 17, 2004.

Pursuant to the authority of Tenn Code Ann. § 65-5-202, TRA Rule 1220-4-1-.03(a) requires all rates and charges for every class of service offered in the state of Tennessee to be tarified. Under TRA Rule 1220-1-1-.05, the TRA is permitted to waive the requirements of this rule for good cause.²

¹ See *In re Tariff to Remove MemoryCall/Voice Mail from the General Subscriber Services Tariff and the D2 Intra-State Price List – Tariff Number 2003-1273*, Docket No. 03-00616

² See *Petition of Global Tel*Link Corporation for a One-Time Waiver of TRA Rule 1220-4-2- 58* (TRA Docket No 02-00700)

January 5, 2004 Authority Conference

At the January 5, 2004 Authority Conference, the Panel voted unanimously to waive the tariffing requirement of TRA Rule 1220-4-1-.03(a), pursuant to the finding in TRA Docket No. 00-00230 that voice mail is not a telecommunications service, and to approve UTSE Tariff 2003-1425.

IT IS THEREFORE ORDERED THAT:

1. The tariffing requirement of TRA Rule 1220-4-1-03(a) is waived for UTSE's MessageLine service.
2. The UTSE Tariff 2003-1425 to remove MessageLine from its General Subscriber Services Tariff is approved.



Pat Miller, Director



Sara Kyle, Director



Ron Jones, Director